



Advocates for Children
of New York
Protecting every child's right to learn



News Release

For Immediate Release

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Resolution Agreement Confirms Right to Translation and Interpretation for Parents of Students with Disabilities in NYC Schools

May 19, 2020 (NEW YORK CITY) —In response to a complaint filed by Advocates for Children of New York (AFC) and New York Lawyers for the Public Interest (NYLPI), the United States Department of Education, Office of Civil Rights (OCR) and the New York City Department of Education (NYC DOE) have entered into a voluntary resolution agreement to ensure the provision and monitoring of translation and interpretation services to parents of New York City students with disabilities whose home language is not English. The agreement, signed in December 2019, came seven years after AFC and NYLPI filed the initial complaint with OCR concerning NYC DOE's inadequate services.

The resolution agreement confirms the rights of Limited English Proficient (LEP) parents, under local, state and federal civil rights laws, to translation and interpretation services related to the special education services their children receive. In addition to acknowledging that LEP parents have a right to receive translations of special education documents – such as Individualized Education Programs (IEPs), Section 504 Plans and NYC DOE-funded evaluations – the resolution agreement is significant because it also states that the NYC DOE is responsible for informing families of their right to request these services, tracking translation and interpretation requests, and creating a centralized system for providing translated documents to families in all school districts in New York City.

The COVID-19 pandemic has reinforced the need for a centralized, effective system for providing and tracking translation and interpretation to parents of students with disabilities in the New York City public schools. Seven weeks after the closing of schools, there are LEP families and parents of English Language Learners (ELLs) who are still struggling to connect their children to remote learning and to special education services. Many of these families are not able to communicate with their schools unless the NYC DOE provides interpreters and translated materials.

In response to AFC and NYLPI's complaint, NYC DOE launched a pilot in 2018 for the centralized translation of IEPs, upon request by parents, in three of the City's school districts. The resolution agreement states that this IEP translation pilot will inform the creation of a centralized system for all

special education document translations. The IEP translation pilot remains in effect in Districts 9 and 24 and in special education District 75.

“The agreement is not as strong as we had hoped, but it starts to move the school system in the right direction,” said Rita Rodriguez-Engberg, Director of AFC’s Immigrant Students’ Rights Project. “It’s important for parents to know that they currently have a right to translations of special education documents, and they can make the request through their children’s individual schools. In light of the COVID-19 school closures and the active role parents are playing in their children’s remote education, it is more important than ever for parents to understand their children’s IEPs and special education needs.”

"We are grateful that after years of neglect, the NYC DOE has finally committed to providing parents who are Limited English Proficient with access to the document translation and meeting interpretation necessary to meaningfully participate in their children's education," said Ruth Lowenkron, Director of the Disability Justice Program at NYLPI. "We will vigilantly monitor the agreement to ensure that the NYC DOE honors its commitment, especially during the COVID-19 pandemic."

The full voluntary resolution agreement is available [here](#).

About Advocates for Children of New York (AFC)

Since 1971, Advocates for Children of New York has worked to ensure a high-quality education for New York students who face barriers to academic success, focusing on students from low-income backgrounds who are at greatest risk for failure or discrimination in school because of their poverty, disability, race, ethnicity, immigrant or English Language Learner status, sexual orientation, gender identity, homelessness, or involvement in the foster care or juvenile justice systems. AFC uses four integrated strategies: free advice and legal representation for families of students; free trainings and workshops for parents, communities, and educators and other professionals to equip them to advocate on behalf of students; policy advocacy to effect change in the education system and improve education outcomes; and impact litigation to protect the right to quality education and compel needed reform. For more information, please visit www.advocatesforchildren.org.

About New York Lawyers for the Public Interest (NYLPI)

Founded more than 40 years ago by leaders of the bar, New York Lawyers for the Public Interest pursues equality and justice for all New Yorkers. NYLPI works toward a New York where all people can thrive in their communities, with quality healthcare and housing, safe jobs, good schools, and healthy neighborhoods. In NYLPI’s vision, all New Yorkers live with dignity and independence, with the resources they need to succeed. NYLPI’s community-driven approach powers its commitments to civil rights and to disability, health, immigrant, and environmental justice. NYLPI seeks lasting change through litigation, community organizing, policy advocacy, pro bono service, and education. NYLPI has a long history of fighting for New Yorkers with disabilities since its founding, including for an equitable education system. NYLPI brought and won the first case under the Americans with Disabilities Act (ADA) in 1992, enabling people with disabilities to gain access to the observation deck of the Empire State Building. Recent successes include a landmark suit which resulted in improved access to paratransit services for people with disabilities who are limited English proficient. For more information, please visit www.nylpi.org.